

STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

AFFIDAVIT

I, Special Agent Benjamin Gatrost, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about April 11, 2008, in the Western District of Missouri, the defendant, **ELSA MARIA ESCOBAR** (a.k.a. Maria Mateo), knowingly, willfully and intentionally made and caused to be made a false, fictitious, and fraudulent writing and document knowing it contained materially false and fraudulent statements and entry in a matter within the jurisdiction of the United States Department of Housing and Urban Development, in that she falsely represented her name was "Maria Mateo" on a Uniform Residential Loan Application, a document used to obtain a Federal Housing Administration ("FHA") insured mortgage for property located at 4225 Norledge Ave., Kansas City, Missouri. This representation was completely false, as the defendant well knew, because she was not Maria Mateo. All in violation of Title 18, United States Code, Section 1001(a)(3).

I am a Special Agent with Homeland Security Investigations (HSI), Kansas City, Office of Immigration and Customs Enforcement (ICE); and have been so employed since August 16, 2009. I was employed as a Law Clerk to the Honorable Robert Beaird, 16th Circuit Court of Jackson County, Missouri, for approximately two and one-half years prior to becoming a Special Agent. I graduated from the University of Central Missouri in 2004 with a Bachelor of Science in Criminal Justice. I graduated from the University of Missouri at Kansas City, School of Law in 2007, with a Juris Doctorate degree. I was admitted to the Missouri Bar as a licensed attorney (MO BAR# 59265) in 2007, and was admitted to the Kansas Bar (KS BAR# 23500) as a licensed attorney in 2008. During the course of my employment, I have participated in immigration, identity theft, narcotics, firearm, intellectual property and trademark infringement investigations which led to the prosecution of suspects. I have attended various training academies to include the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training. This affidavit in support of the complaint is based on the following facts, which are known to me as a result of my personal participation in this investigation, and from information provided to me by other law enforcement agents, and contains not all the facts known to me as a result of this investigation, but only those facts necessary to establish probable cause of the foregoing violation.

1. On December 28, 2012, your Affiant conducted a biographical telephonic immigration interview of Eduardo Escobar following his arrest on or about December 28, 2012 for fleeing police, possession of firearms and methamphetamine. For reasons detailed later in this affidavit, I believe that Eduardo Escobar is the son of Elsa Maria ESCOBAR, the proposed defendant identified in the Complaint. During the interview, Eduardo Escobar refused to identify his place of birth or a country of citizenship. He stated that the last immigration agent who interviewed him was unable to deport him. I informed Eduardo Escobar that I would open an investigation to

determine his country of citizenship so that he could be removed from the United States and be deported to his country of origin. Eduardo Escobar replied: "Good Luck". In an effort to determine Eduardo Escobar's citizenship he was asked about his family. In response, Eduardo Escobar reported that his mother was Maria MATEO and he identified his four siblings as: Sonia, Wendy, Christina, and Caroline. I then initiated an investigation into the Immigration status of Eduardo Escobar to determine alienage and removability from the United States.

2. On December 31, 2012, your Affiant along with Special Agents Alberto Briseno and Edgar Jones went to a residence located at 4225 Norledge Ave., Kansas City, Missouri. We identified this residence because according to open source records it was identified as the residence of Eduardo Escobar's mother, Maria MATEO (a.k.a. Elsa Maria ESCOBAR). Based on the facts discovered in my investigation that are summarized later in this affidavit, I believe Eduardo Escobar's mother is actually Elsa Maria ESCOBAR and that Elsa Maria ESCOBAR has stolen the identity of a woman known as Maria MATEO.

3. Upon knocking on the door, we identified ourselves as federal agents with Homeland Security Investigations and we displayed our badges and credentials. Special Agent Briseno and I explained that we were there to investigate suspected use of fraudulent identity documents and we indicated we would like to speak with Maria MATEO. The lady who opened the door identified herself as Maria MATEO. MATEO invited all three of us inside to speak with her. MATEO stated that she had five children and indicated their names were: Eduardo Escobar, Caroline Delgado, Wendy Escobar, Sonya Escobar, and Christian Escobar. MATEO presented agents with a United States Passport bearing the name Maria MATEO, which displayed a photograph of the woman identifying herself as MATEO on the passport. Subsequent investigation has revealed that the photograph is of Elsa Maria ESCOBAR. The facts supporting this conclusion are detailed later in this affidavit. The passport indicated that she was born in Puerto Rico with a date of birth of: 08/XX/1950. We asked Elsa Maria ESCOBAR (a.k.a. Maria MATEO) for her Social Security Number and she indicated that her Social Security Number was XXX-XX-2376. When asked about her children's dates of birth, Elsa Maria ESCOBAR (a.k.a. Maria MATEO) only provided their approximate ages.

4. When asked where her children were born, Elsa Maria ESCOBAR (a.k.a. Maria MATEO) stated that all of her children, with the exception for Caroline Delgado (Escobar), were born in Honduras. Elsa Maria ESCOBAR (a.k.a. Maria MATEO) stated that Caroline Delgado (Escobar) was born in Kansas in 1992. She stated that Eduardo Escobar was six months old when she left Honduras and entered the United States, without inspection by an Immigration Officer, sometime around 1992.

5. Before leaving the residence on December 31, 2012, Elsa Maria ESCOBAR (a.k.a. Maria MATEO) provided a sworn statement relating to her claimed identity. As part of her identifying information that she provided on the statement form, she indicated that her Social Security Number was XXX-XX-2376.

6. On January 23, 2013, your Affiant as well as Special Agents Jose Covarrubias and Briseno conducted a follow-up interview of Elsa Maria ESCOBAR (a.k.a. Maria MATEO) at 4225 Norledge Ave., Kansas City, Missouri and procured a "Record of Sworn Statement" with an advisory and waiver of rights. Elsa Maria ESCOBAR (a.k.a. Maria MATEO) again claimed that her true and only name was Maria MATEO, and that she had never used any other names. Elsa Maria ESCOBAR (a.k.a. Maria MATEO) again claimed to be born in Guayama, Puerto Rico, on 08/XX/1950. Special Agent Covarrubias asked specific questions regarding foods and terms specific to Puerto Rico. Elsa Maria ESCOBAR (a.k.a. Maria MATEO) was unable to correctly recognize these Puerto Rican terms and foods indicating she was not originally from Puerto Rico as she claimed. At the conclusion of the interview, we informed Elsa Maria ESCOBAR (a.k.a. Maria MATEO) that we did not believe that she was who she was claiming to be. Elsa Maria ESCOBAR (a.k.a. Maria MATEO) responded by telling the agents to send her to whatever country they believed she was from. During the interview Elsa Maria ESCOBAR (a.k.a. Maria MATEO) went to a room that appeared to be her bedroom and retrieved a passport and a Puerto Rican birth certificate, both in the name of Maria MATEO. Elsa Maria ESCOBAR (a.k.a. Maria MATEO) claimed that she received the birth certificate from her father the last time she was in Puerto Rico in 1982. This statement was inconsistent with the fact that the date of issuance identified on the birth certificate was January 1994.

7. As part of the investigation, I located school records, driver's license information, and Sam's Club membership records. These records indicate that Caroline Mary Escobar was born on 12/XX/1992 in Kansas City, Kansas. I also obtained records from the Kansas City, Missouri Public School District on January 24, 2013. According to the Kansas City Public School records, "David Delgado" and "Maria Mateo" were identified as emergency contacts for Caroline Mary Escobar. The school records also identified Caroline Mary Escobar's date of birth as: 12/XX/1992, and listed her place of birth as: Kansas City, Kansas. The school also provided records for Sonia Mabel Escobar which identified her date of birth as: 11/XX/1979, and listed her place of birth as: Honduras. However, the school records for Sonia Mabel Escobar identified her emergency contacts as: "Elsa Escobar" and "David Delgado."

8. On January 25, 2013, I contacted Jason Mathewson with Kansas Vital Statistics regarding a birth certificate for Caroline Escobar, date of birth: 12/XX/1992. I requested and obtained a copy of her birth certificate. A review of the birth certificate revealed that the father for Caroline Escobar was not listed, and the mother was listed as "Elsa Maria Escobar," date of birth: 04/XX/1962. The mother's location of birth was listed as "Honduras." Based on my prior meetings with Elsa Maria ESCOBAR (a.k.a. Maria MATEO), it is my opinion that her apparent age is more consistent with having been born in 1962 than in 1950, as she claimed during our previous interview.

9. On January 25, 2013, your Affiant and Special Agent Briseno obtained Sam's Club membership records for account number: XXXXX7547. This membership is associated with a business known as Mary's Home Cleaning, located at 4225 Norledge Ave., Kansas City, Missouri. The following three persons were associated with the account: David Delgado, Caroline Escobar (date of birth: 12/XX/1992), and Maria MATEO (date of birth: 08/XX/1950).

10. Based on my review of aforementioned school records, birth certificate and the Sam's Club membership information, I concluded that Caroline Escobar, date of birth: 12/XX/1992, was the daughter of Elsa Maria ESCOBAR.

11. On January 31, 2013, Special Agent Timothy Mugrage with Office of the Inspector General for the United States Department of Housing and Urban Development, informed me that an individual who identified herself as Maria MATEO had applied for and received a Federal Housing Administration ("FHA") loan for the residence located at 4225 Norledge, Kansas City, Missouri. On the loan application, Elsa Maria ESCOBAR (a.k.a. Maria MATEO) indicated that her Social Security Number was XXX-XX-2376. In a later interview conducted on March 21, 2013, Elsa Maria ESCOBAR (a.k.a. Maria MATEO) admitted to investigators that she signed the loan application, but she continued to claim she was Maria MATEO. When she signed the application, she identified the date as April 11, 2008.

12. On February 1, 2013, your Affiant contacted Special Agent Joseph Espinosa with the Office of the Inspector General for the Social Security Administration. Special Agent Espinosa informed me that according to Social Security records Maria MATEO was currently receiving Social Security benefits and the Social Security Administration records indicated that she lived in the Glen Oaks Nursing Center in Northbrook, Illinois. Special Agent Espinosa informed me that the Social Security Administration had issued two Social Security Numbers to an individual identified as Maria MATEO. The original Social Security Number assigned to Maria MATEO was XXX-XX-3218. According to Social Security Administration records, the date of birth associated with Social Security Number XXX-XX-3218 was originally identified as 08/XX/1947. On or about November 2, 1992, the date of birth associated with the record was amended to 08/XX/1950. The records also indicate that Maria MATEO was born in Guayama, Puerto Rico. Social Security Number XXX-XX-3218 was cross referenced with Social Security Number XXX-XX-2376, the Social Security Number currently being used by Elsa Maria ESCOBAR (Maria MATEO). On or about September 18, 2000, the Gateway Social Security Field Office in Kansas City, Missouri issued a new Social Security Number, number XXX-XX-2376, to an individual claiming to be Maria MATEO. Based on Special Agent Espinosa's training and experience and his review of Social Security records associated with the aforementioned Social Security Numbers, he believes that an individual who identified herself as Maria MATEO indicated she was the victim of identity theft and persuaded the Social Security Administration to issue her a new Social Security Number, specifically XXX-XX-2376.

13. Special Agent Espinosa further informed your Affiant that he checked the Social Security records associated with Caroline Escobar, date of birth: 12/12/1992. Those records identified Caroline Escobar's mother as "Elsa Escobar" and her father as "David Delgado."

14. On March 21, 2013 Special Agents Briseno, Mugrage, and Espinosa interviewed Elsa Maria ESCOBAR (a.k.a. Maria MATEO) again. During the interview, ESCOBAR admitted that she still owns the residence located at 4225 Norledge Ave., Kansas City, Missouri, but she claimed that she no longer resides therein. However, ESCOBAR stated that despite leasing the premises to renters, she continues to store all her identification documents in a

cabinet located at 4225 Norledge Ave., Kansas City, Missouri. Agents showed ESCOBAR photographs of two of her children, Eduardo Escobar and Caroline Escobar. Upon seeing the driver's license photo of Caroline Escobar, ESCOBAR stated: "How did you get a picture of my daughter?" or words to that effect. ESCOBAR then positively identified both individuals as her children, and she accurately indicated their first names are Eduardo and Caroline.

15. During the March 21, 2013 interview, Elsa Maria ESCOBAR (a.k.a. Maria MATEO) also reviewed the Uniform Residential Loan Application associated with her mortgage application for her residence located at 4225 Norledge Ave., Kansas City, Missouri. Elsa Maria ESCOBAR acknowledged that she signed the loan application dated April 11, 2008. Elsa Maria ESCOBAR used the identity of Maria MATEO on the loan application, but during the interview she maintained she was Maria MATEO. Immediately above the signature on the application, there is the following warning: "I/We fully understand that it is a Federal crime punishable by fine or imprisonment, or both to knowingly make any false statements concerning any of the above facts as applicable under the provisions of Title 18 United States Code, Section 1001, et seq." During the interview, Elsa Maria ESCOBAR also continued to claim that her Social Security Number was XXX-XX-2376. On the loan application, the Social Security Number was originally identified as XXX-XX-2476, but someone lined out "2476" and immediately above it wrote "2376" and Elsa Maria ESCOBAR apparently initialed the change.

16. For the aforementioned reasons, I believe Elsa Maria ESCOBAR has stolen the identity of Maria MATEO and she has been using MATEO's identity since before September 18, 2000, when she persuaded the Social Security Administration to issue a new Social Security Number (XXX-XX-2376) in the name of Maria MATEO, a Social Security Number that Elsa Maria ESCOBAR currently uses.

FURTHER AFFIANT SAYETH NAUGHT.

/s/ Benjamin Gatrost

Benjamin Gatrost

Special Agent

Homeland Security Investigations

Sworn to before me and subscribed in my presence this 28th day of March 2013, at Kansas City, Missouri.

/s/ John T. Maughmer

HONORABLE JOHN T. MAUGHMER

UNITED STATES MAGISTRATE JUDGE

Western District of Missouri